

Message Text

LIMITED OFFICIAL USE

PAGE 01 STATE 281461

47

ORIGIN OPIC-06

INFO OCT-01 ARA-06 ISO-00 EB-07 L-03 AID-05 /028 R

DRAFTED BY OPIC/GC:REBROWN
APPROVED BY EB/IFD/OIA:RJSMITH
EB/IFD/OIA:DHSTEBBING
ARA/AND:CFULLER
L/ARA:FARMSTRONG

----- 123531

O 161939Z NOV 76
FM SECSTATE WASHDC
TO AMEMBASSY LIMA IMMEDIATE

LIMITED OFFICIAL USE STATE 281461

FROM OPIC

E.O. 11652: N/A

TAGS:EFIN

SUBJECT: CELANESE CLAIM
REF: LIMA 9400

1. OPIC DOES NOT UNDERSTAND EMBASSY'S CONCLUSION IN PARA
2(B) OF REFTEL THAT THE SALE BY OPIC TO THE TREASURY DIS-
BURSING OFFICER IN LIMA OF LOCAL CURRENCY OBTAINED AS A
RESULT OF A PAYMENT OF AN INCONVERTIBILITY CLAIM COULD BE
VIEWED AS A CIRCUMVENTION OF PERU'S EXCHANGE CONTROL LAWS.
OUR BILATERAL AGREEMENT WITH PERU, DATED MARCH 14-16, 1955
PROVIDES THAT IF THE USG MAKES A PAYMENT AS A RESULT OF
AN INCONVERTIBILITY CLAIM THE QUOTE GOVERNMENT OF PERU
WILL RECOGNIZE THE TRANSFER TO THE UNITED STATES OF AMERICA
OF ANY RIGHT, TITLE, OR INTEREST OF SUCH PERSON IN...
CURRENCY...ON ACCOUNT OF WHICH SUCH PAYMENT WAS MADE END
QUOTE AND THAT QUOTE AMOUNTS IN PERUVIAN SOLES ACQUIRED
END QUOTE UNDER SUCH CIRCUMSTANCES QUOTE WILL BE FREELY
AVAILABLE TO THE GOVERNMENT OF THE UNITED STATES OF
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STATE 281461

AMERICA FOR ADMINISTRATIVE EXPENDITURES END QUOTE. OPIC

BELIEVES THAT THESE PROVISIONS SHOULD ALLOW OPIC TO DIS-
POSE SUCH LOCAL CURRENCY WITHOUT PRIOR APPROVAL OR NOTICE
TO THE GOP. DOES THE EMBASSY NOT CONCUR?

2. OPIC IS PLANNING TO MAKE A DETERMINATION ON THE
CELANESE CLAIM THIS WEEK. CAN EMBASSY CABLE LANGUAGE
OF THE STATUTE PERMITTING THE DEDUCTION OF A .25
PERCENT BANK COMMISSION, REFERRED TO IN PARA 2(E) WITHOUT
MUCH DIFFICULTY? INTER- INVESTOR STATES THAT THESE
COMMISSIONS ARE NOT IMPOSED BY LAW AND THUS DO NOT

AFFECT THE AMOUNT OF ITS CLAIM. ROBINSON

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, LAW, FOREIGN EXCHANGE RATES, INVESTMENT GUARANTEES, BANKS
Control Number: n/a
Copy: SINGLE
Draft Date: 16 NOV 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: powellba
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE281461
Document Source: CORE
Document Unique ID: 00
Drafter: REBROWN
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760427-0606
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761143/aaaablea.tel
Line Count: 73
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN OPIC
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 LIMA 9400
Review Action: RELEASED, APPROVED
Review Authority: powellba
Review Comment: n/a
Review Content Flags:
Review Date: 26 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <26 JUL 2004 by saccheem>; APPROVED <29 OCT 2004 by powellba>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CELANESE CLAIM
TAGS: EFIN, PE, US, CELANESE CORPORATION
To: LIMA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006